



IFW #1-

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	Examiner: Lugo, Carlos
)	
TORRES ET AL.)	
)	Group Art Unit: 3677
Serial No.: 09/919,326)	
)	
Filed: July 31, 2001)	
)	Docket No.: DP-303536
For: HIGH PRESSURE SEAL)	

RESPONSE WITH AMENDMENT UNDER 37 CFR § 1.116

Introductory Comments

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This is in response to the Office Action mailed June 3, 2004

Claims 5 and 7-11 are pending in the application.

Claims 13-16 have been withdrawn from consideration.

Claims 5, 8, 9, 13 and 16 have been amended.

Kindly reinstate claims 13-16 and enter this amendment under the provisions of 37 CFR § 1.116.

The Commissioner is hereby authorized to charge Deposit Account No. 50-0831 for payment of any fee required by this response. A duplicate copy of this sheet is enclosed.

09/25/2004 ENTERED 00000007 200409 09/25/2004
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August 3, 2004

Two criteria have developed for determining whether prior art is analogous:

(1) whether the art is from the same field of endeavor, regardless of the problem addressed, and (2) if the reference is not within the inventor's field of endeavor, whether the reference is still pertinent to the particular problem with which the inventor is involved. *In re Clay*, 23 USPQ2d, 1058, 1060, (FedCir 1992).

As stated on page 1 of the patent application, Applicant's field of endeavor is high pressure seals used in electrical connectors, not the field of wall feed through fittings. Thus the Hauff '647 patent fails the first criterion of being from the same field of endeavor. Moreover, the wall feed through fitting of the Hauff '647 patent is not pertinent to the problem which applicant faced, which is the sealing loss as a result of the wrinkling of a flexible, radial flange, such as the Moulin flexible radial flange (150) when it is bent into sealing engagement with a sealing surface as shown in figures 7a through 7d of the Moulin '416 patent. Hence the Hauff '647 patent when applied to base claims 13 and 16 is non-analogous art that cannot be used in an obviousness rejection under 35 USC § 103(a).

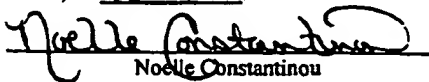
Consequently base claims 13 and 16 are patentable for another second reason. This applies to dependent claims 14 and 15.

With respect to dependant claims 14 and 15, there is absolutely no suggestion in the two references to make the second integral section of the skirt shorter (claim 14) and make room for the wiping land (claim 15).

Please withdraw the restriction requirement, reinstate claims 13-16, enter the amendment under the provisions of 37 CFR § 1.116 and examine claims 5, 7-11, and 13-16 in view of the foregoing remarks and amendments.

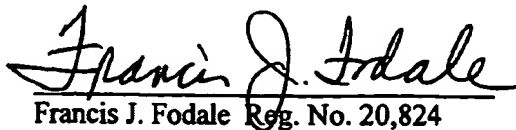
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313, on August 3, 2004.


Noelle Constantinou

Respectfully submitted,

REISING, ETHINGTON,
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